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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
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11 EPIC GAMES, INC.,

12 Plaintiff,

13 vs.

14 APPLE INC.,

15 Defendant.  
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No. 3:20-CV-05640-EMC

**[PROPOSED] TEMPORARY  
RESTRAINING ORDER AND ORDER  
TO SHOW CAUSE WHY A  
PRELIMINARY INJUNCTION  
SHOULD NOT ISSUE**

Date: August 17, 2020

Courtroom: 5, 17th Floor

Judge: Hon. Edward M. Chen

20 **[PROPOSED] TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE**

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22 On August \_\_\_\_ 2020, this Court heard plaintiff's application for a Temporary  
23 Restraining Order and an Order to Show Cause why a preliminary injunction should not be  
24 issued. After hearing this application and considering the arguments and papers submitted, the  
25 court enters the following Temporary Restraining Order:

26 ORDERED that Apple, together with its agents, employees, attorneys and all  
27 persons having knowledge of this Order are restrained and enjoined from:  
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1                   1. Removing, de-listing, refusing to list or otherwise making unavailable the app  
2 *Fortnite*, including any update thereof, from the App Store on the basis that *Fortnite* offers in-app  
3 payment processing through means other than Apple’s In-App Purchase (“IAP”) or on any  
4 pretextual basis;

5                   2. Removing, disabling or modifying *Fortnite* or any code, script, feature, setting,  
6 version or update thereof from any iOS user’s device; and  
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8                   3. Taking any adverse action against Epic, including but not limited to restricting,  
9 suspending or terminating any Epic entity from Apple’s Developer Program, on the basis that  
10 Epic enabled in-app payment processing in *Fortnite* through means other than IAP or on the basis  
11 of the steps Epic took to do so.  
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13                   This order and all supporting pleadings and opposing papers must be served upon  
14 the adverse party within \_\_\_\_ days.

15                   Defendant is further ordered to show cause on August \_\_\_\_, 2020, at \_\_\_\_ before  
16 this Court why a preliminary injunction to the same effect should not issue.  
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18 IT IS SO ORDERED.

19 Dated: August \_\_\_\_, 2020 at \_\_\_\_.  
20 San Francisco, California

21 \_\_\_\_\_  
22 United States District Judge  
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